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| FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br>(REV. 11-2000)  |   | ATTORNEY'S DOCKET NUMBER<br><b>PF4813USW</b>                   |  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES</b><br><b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b><br><b>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |   | U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR<br><b>101518347</b> |  |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/EP03/06417</b>  | INTERNATIONAL FILING DATE<br><b>June 18, 2003</b> | PRIORITY DATE CLAIMED<br><b>June 19, 2002</b>                  |  |
| <b>TITLE OF INVENTION</b><br><b>Phenoxyalkanonic Acid Derivatives As HPPAR Activators</b>   |   |  |  |
| <b>APPLICANT(S) FOR DO/EO/US</b><br><b>DODIC, Nerina; DUMAITRE, Bernard, Andre; GELLIBERT, Francoise, Jeanne; SIERRA, Michael, Lawrence</b>   |   |  |  |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> <p><b>Items 13 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. <u>EV 332064195 US</u></li> <li>23. <input checked="" type="checkbox"/> Other items or information:             <ol style="list-style-type: none"> <li>a) PCT Cover Page</li> </ol> </li> </ol> |   |  |  |

|   |                               |                          |
|---|-------------------------------|--------------------------|
| U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR) | INTERNATIONAL APPLICATION NO. | ATTORNEY'S DOCKET NUMBER |
| <b>107518347</b>                            | PCT/EP03/06417                | PF4813USW                |

24. The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

- |  |           |
|--|-----------|
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... | \$1080.00 |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....  | \$920.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....  | \$770.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....   | \$730.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....   | \$100.00  |

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**\$920.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

**\$0.00**

| CLAIMS   | NUMBER FILED | NUMBER EXTRA | RATE                     |                |
|--|--------------|--------------|--------------------------|----------------|
| Total claims                                     | 24 - 20 =    | 4            | x \$18.00                | <b>\$72.00</b> |
| Independent claims                               | 1 - 3 =      | 0            | x \$86.00                | <b>\$0.00</b>  |
| Multiple Dependent Claims (check if applicable). |              |              | <input type="checkbox"/> | <b>\$0.00</b>  |

**TOTAL OF ABOVE CALCULATIONS =** **\$992.00**

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**\$0.00**

**SUBTOTAL =** **\$992.00**

Processing fee of **\$130.00** for furnishing the English translation later than  20  30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

**\$0.00**

**TOTAL NATIONAL FEE =** **\$992.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

**\$0.00**

**TOTAL FEES ENCLOSED =** **\$992.00**

|                          |                                  |    |
|--------------------------|----------------------------------|----|
| <input type="checkbox"/> | Amount to be:<br><u>refunded</u> | \$ |
|                          | <input type="checkbox"/>         | \$ |
|                          | <input type="checkbox"/>         | \$ |

- a.  A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 07-1392 in the amount of \$992.00 to cover the above fees.
- c.  The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**23347**

Robert H. Brink  
SIGNATURE

**Robert H. Brink**

NAME

**36,094**

REGISTRATION NUMBER

17 December 2004

DATE

10/518347

Docket No.  
D701 Rec'd PCT/F 17 DEC 2004  
PF4813USW

## CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Dodic et al.

|   |  |          |                |
|---|--|----------|----------------|
| Serial No.<br><br>To Be Assigned                                    | Filing Date<br><br>Concurrently Herewith | Examiner | Group Art Unit |
| Invention: Phenylxyloalkanonic Acid Derivatives as HPPAR Activators |  |          |                |

I hereby certify that the following correspondence:

Transmittal of National Phase Application with accompanying papers

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

12/17/04  
(Date)

Valerie L. Phillips

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

EV332064195US

(Express mail mailing label number)